D.B. CRIMINAL PAROLE WRIT PETITION NO.196/2007
(Mahaveer Vs. State & Ors.)

DATE OF ORDER : 17.1.2007

HON'BLE MR. JUSTICE N.N.MATHUR
HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

By post.
Mr. O.P. Rathi, Public Prosecutor.

The instant petition has been registered on the letter of convict, who is undergoing a sentence of imprisonment for life for offence under Section 302 I.P.C. The jail department has furnished the requisite information in the prescribed proforma. He has already undergone a sentence of 12 years, 10 month and 08 days. The parole committee has rejected the application for parole only on the ground of adverse police report. We have repeatedly expressed that ipsi dixit reasons of adverse police report cannot be the ground for refusing the parole.

Considering all the facts and circumstances of the case, it is directed that the petitioner Mahaveer S/o Bhagwana Ram shall be released on parole for a period of 20 days on just and appropriate conditions determined by the Superintendent, Central Jail, Jodhpur to his own satisfaction. The Superintendent, Central Jail, Jodhpur will also give a date for surrender. A copy of this order may be sent to the convict.

(GOPAL KRISHAN VYAS) J. **(N.N. MATHUR) J.**